

18-MJ-2189-MJB

**AFFIDAVIT OF TASK FORCE OFFICER MICHAEL J. NOONE**

I, Michael J. Noone, depose and state as follows:

1. I served as a Police Officer in Stoneham, Massachusetts from 2002 to 2004. I have served as a Police Officer in the City of Chelsea, Massachusetts since June 2004 and have held the position of Detective since October 2008. I am currently assigned as a Detective in the Criminal Investigations Division. Since 2015, I have served as a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I am a deputized Special Deputy United States Marshal and am authorized to seek criminal complaints and arrest warrants in federal court. In 1997, I attended and graduated from a 13-week training academy sponsored by the Department of Corrections in Bridgewater, Massachusetts. Between 1997 and 2002, I served as a Corrections Officer with the Massachusetts Department of Corrections at the Massachusetts Correctional Facility in Shirley, Massachusetts. I am a 2002 graduate of the Municipal Police Officers Academy in West Boylston, Massachusetts. I have a degree in Criminal Justice from Western New England College. I have extensive experience with investigating gang related criminal activity, including firearms and narcotics offenses.

2. Based on my training and experience, I know that it is a violation of 18 U.S.C. §922(g)(1) for a person convicted of a crime punishable by imprisonment for a term exceeding one year to possess a firearm that has traveled in interstate commerce. As set forth below, there is probable cause to believe that Ramon Sosa ("SOSA") violated 18 U.S.C. §922(g)(1), on or about January 23, 2018, by illegally possessing a firearm that had traveled in interstate commerce after having been convicted of one or more crimes punishable by imprisonment for a term exceeding one year.

3. I am personally involved in this investigation. The information set forth in this affidavit is based on information obtained from various federal and Massachusetts law enforcement agencies. It does not contain all of the information known to me; only that information sufficient to establish probable cause in support of a criminal complaint and the issuance of an arrest warrant.

4. On January 23, 2018, the ATF and local police executed a state search warrant at a first floor apartment in Malden, Massachusetts associated with SOSA. Law enforcement encountered a man and a woman in the apartment. SOSA was not encountered in the apartment. During the search of the apartment, officers made a forced entry into a locked bedroom. The woman present in the apartment at the time of the search told law enforcement that the bedroom belonged to SOSA. Inside SOSA's locked bedroom law enforcement located and seized an unloaded Norinco, 1911, .45 caliber pistol, with serial number 411187, a .45 caliber magazine containing live rounds, approximately 94 grams of suspected cocaine and cocaine base, several items associated with the distribution of cocaine, including a digital scale and packaging materials, and a letter addressed to SOSA. The suspected cocaine and cocaine base field tested positive for the presence of cocaine. After entering SOSA's locked bedroom, law enforcement observed that one of the bedroom windows was open.

5. A law enforcement officer in the apartment's living room looked out a living room window and observed a male walking from the area of the bedroom window away from the building. Law enforcement pursued the man and stopped him on a nearby bicycle trail, recognized him as SOSA, and placed him in handcuffs. The man identified himself as Ramon SOSA. Law enforcement walked SOSA to the back of the residence that was the subject of the

search warrant and explained to him that they had a search warrant for that location. Law enforcement told SOSA that he was not under arrest and advised him of his *Miranda* warnings. SOSA stated he understood his rights and declined to speak with law enforcement. It was raining outside and SOSA was placed in the back of a police cruiser.

6. After the search, the same woman who identified SOSA's bedroom stated that SOSA was her husband's friend and that he had lived in the apartment for approximately one year. When asked by law enforcement if SOSA had been a problem, the woman said the only problem was people constantly coming and going from the apartment.

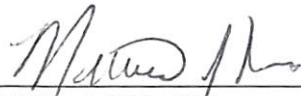
7. SOSA was subsequently arrested by local officers. During the booking process at the Malden Police Department, law enforcement observed and seized a plastic bag containing a quantity of suspected cocaine from the area of SOSA's genitals. The suspected cocaine field tested positive for the presence of cocaine.

8. SOSA was transported to the Middlesex County Jail and House of Correction, where, on January 25, 2018, he was observed on a closed circuit monitor in a restroom stall making suspicious movements. Believing that SOSA may have retrieved contraband from his rectum, SOSA was approached by corrections officers and a paper napkin was retrieved from SOSA'S left hand. The napkin contained 10 clear plastic bags. Seven of the bags contained a hard white substance believed to be "crack" cocaine; three of the bags contained a brown tan substance believed to be heroin.

9. Based on my training and experience in firearms, and consultation with ATF agents, the firearm identified above was manufactured outside of the Commonwealth of Massachusetts, and thus, had to travel in interstate commerce to be possessed by SOSA. I have

reviewed SOSA's criminal record as maintained by the Massachusetts Criminal History Systems Board. According to those records, SOSA has been convicted of multiple felonies punishable by imprisonment for a term exceeding one year, including: (1) a conviction in 2001, in Lynn District Court, for Larceny More; (2) a conviction in 2012, in Leominster District Court, for Larceny More; and (3) a conviction in 2013, in Hingham District Court, for Larceny More (4) a conviction in 2013, in East Boston District Court, for Distribute/Dispense Class B Cocaine and (5) a conviction in 2015, in Chelsea District Court, for Assault and Battery and Resisting Arrest. I also know from my training and experience that these offenses are punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20).

10. Based on the above, I believe probable cause exists that on or about January 23, 2018, within the District of Massachusetts, Ramon SOSA, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, did possess a firearm in violation of 18 U.S.C. §922(g)(1).

  
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MICHAEL J. NOONE

Subscribed and sworn to before me this 26th day of March, 2018.

  
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HON. MARIANNE B. BOWLER  
UNITED STATES MAGISTRADTE JUDGE

